IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

THURSDAY, THE 7TH JUNE 2007 / 17TH JYAISHTA 1929

LA.App..No. 219 of 2005(D)

LAR.190/2000 of PRL.SUB COURT, KOZHIKODE
.....

APPELLANT:

STATE OF KERALA.

BY GOVERNMENT PLEADER SMT. K.R. DEEPA

RESPONDENTS:
---

1. C.RADHAKRISHNAN, S/O.SEKHARAN PILLAI,
CHEKKOTTU THAZHAM, NELLIKODE,
KOZHIKODE.

2. C.RAJAN, S/O.SEKHARAN PILLAI,
CHEKKOTTU THAZHAM, NELLIKODE,
KOZHIKODE.

BY

THIS LAND ACQUISITION APPEAL HAVING COME UP FOR ADMISSION ON 7/6/2007 THE COURT ON 07/06/2007 DELIVERED THE FOLLOWING:

Kurian Joseph & T.R. Ramachandran Nair, JJ.

- -

L.A.A..NO.219 of 2005

- -

Dated this the 7th day of June, 2007

JUDGMENT

Kurian Joseph, J.

This is an appeal filed against the judgment and decree in L.A.R.No.190/2000 on the file of the Sub Court, Kozhikode. This is a case where the claimants sought to rely on Ext.A4 judgment in L.A.R.No.479/1997. It is seen that the reference court declined to rely on the said judgment for the only reason that the appeal against the judgment in L.A.R.No.479/1997 was pending. Subsequently, the said appeal was dismissed by judgment in L.A.A.No.774/2006. Therefore, the value fixed at Rs.35,000/- per cent is only to be upheld since the value fixed in L.A.R.No.479/1997 is much more.

The appeal is hence dismissed.

(Kurian Joseph, Judge.)

(T.R. Ramachandran Nair, Judge.)

kav/